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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/691,483

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Louis W. Blanco

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EXAMINER

REKSTAD, ERICK J

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

03/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/691,483

Applicant(s)

BLANCO ET AL.

Examiner

Erick Rekstad

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12-16, 18-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This is a Final Rejection for Application no. 10/691,483 in response to the amendment filed on November 7, 2007.

#### ***Response to Arguments***

Applicant's arguments filed November 7, 2007 have been fully considered but they are not persuasive. The Applicant argues the combination of Shockley (US Patent 7,061,371), Beckert (US Patent 5,794,164) and Chuang (US Patent Application Publication 2003/0112929 A1). The Applicant states "Shockley does not teach, or even remotely suggest, that such unit could be modified such that the control panel and TV/VCR are integrally packaged". The Examiner respectfully disagrees. As shown in last sentence of Paragraph[0020], the present application provides no additional definition for "integrally" other than the positioning of separated parts (120 and 135 in Fig. 1) together in order to provide a unitary system that is mounted in the space normally reserved for the radio in the vehicle. As shown in Figure 3, Shockley clearly shows the separate units (24 and 26) have been positioned together to provide a unitary system. This system further is positioned within a central portion of a dashboard (Col 5 Lines 52-56). It is viewed by the Examiner, that Shockley clearly teaches the units are not separated from each other and further are positioned together. Thus the units are integrally packaged.

The Applicant further argues "that the nature of the problem in Shockley is visually detecting an apparent condition by viewing a video image of a sub-system (Col. 3, Lines 30-33). Therefore, it would not be obvious to one of ordinary skill in the art to,

in light of the teachings of Beckert, replace the control panel, TV monitor and video recorder of Shockley, with the computer system of Beckert in order to provide a single system". The Examiner respectfully disagrees. It appears the Applicant is arguing that since Shockley teaches a TV/VCR that the computer system of Beckert does not support the use of a controller, VCR and TV. Beckert specifically teaches the computer includes a display (54) in Figure 1. Beckert further teaches the display receives visual data (Col 5 Line 17). Therefore, it is viewed by the Examiner that Beckert teaches the ability to provide the controller and storage within a factory-sized radio opening. Further, the use of the system of Beckert does not hinder the diagnostic system of Shockley as Beckert includes a display and specifically teaches the use of the system for replacement of a diagnostic system (Col 5 Lines 41-45).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 12-14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7,061,371 to Shockley, US Patent 5,794,164 to Beckert et al. and US Patent Application Publication 2003/0112929 A1 to Chuang.

[claims 1, 5, 12, 18]

As shown in Figure 3, Shockley teaches an in-car video system, comprising:

A video camera(15A-15E) fixably mounted to an automobile (60) for capturing an image of an event and producing a corresponding video stream (Col 4 Lines 10-21, Col 6 Lines 11-14).

A video recorder fixably mounted to the automobile (26a).

A controller (24) coupled to the video recorder to control writing of data that is representative of the video stream to store a video record of the event (Col 4 Lines 49-57).

Wherein the video recorder and controller are integrally packaged and located in a passenger compartment of the automobile such that it is in a direct operative relationship with a user seated in the front seat of the automobile (Col 5 Lines 51-65).

Shockley is silent on the use of a digital video recorder using flash memory. Shockley is further silent on the use of the digital video recorder and controller positioned within a factory-sized radio opening. Note: Shockley teaches the system for all automobiles therefore including an automobile having a police package option (Abstract).

Beckert teaches the use of a vehicle computer system (Figure 1). The computer system has a housing sized to be mounted in a vehicle dashboard in a DIN location (Abstract, Col 3 Lines 5-11, Col 4 Lines 4-9). Beckert further teaches the computer system replacing the need of individual entertainment, security, diagnostic and GPS systems (Col 1 Line 53-Col 2 Line 3, Col 5 Lines 41-45). Beckert teaches writing data to writeable medium (e.g. hard disk, diskette, cassette, or smart card) (Col 2 Lines 17-20, Col 4 Lines 33-36). Beckert further teaches the permitting of easy and convenient

access to the storage drives (Col 4 Lines 45-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the controller and video recorder of Shockley with the computer system of Beckert in order to provide a single system for performing not only diagnostics but other functions such as security and GPS as taught by Beckert. As shown above, Beckert teaches the use of the hard disk, diskette, cassette or smart card for storing user data. Beckert does not specifically teach the user data is video.

Chuang teaches the use of Compact Flash, memory sticks, secure digital memory cards or tapes for storing video (Paragraph [0009]). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the flash media to store video as Chuang teaches flash media as an alternative to a tape recording apparatus.

[claim 2]

As shown above, Beckert teaches the housing permitting easy and convenient access to the storage drives (Col 4 Lines 45-46).

[claims 3 and 4]

As shown above, Chuang teaches the use of Compact Flash, memory sticks, secure digital memory cards or tapes for storing video (Paragraph [0009]). It would have been obvious to one of ordinary skill in the art at the time of the invention to use any of the storage means as they can all be used to store video as taught by Chuang.

[claims 6, 7, and 19]

As shown above, Beckert teaches the use of a single DIN and a double DIN (Col 4 Lines 4-9). It would have been obvious to one of ordinary skill in the art at the time of the invention that using a housing with the single DIN size the housing would also fit a 1.5 and double DIN housing.

[claim 13]

Shockley teaches the reading of stored recordings (Col 5 Lines 49-51). Chuang also teaches the step of reading the stored record from the flash memory (Paragraph [0018]). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the reading step of Chuang in order to read the video from the flash memory in order to view with a patron or master mechanic as required by Shockley.

[claim 14]

Shockley teaches the monitor (26) connected to the video recorder. Beckert teaches the monitor (24, Fig. 1) is remote from the system (22) (Col 3 Lines 33-37, Col 5 Lines 19-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the remote monitor of Beckert in order to provide different viewing positions that can be seen by the driver or other passengers in the vehicle as taught by Beckert.

Claims 15, 16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shockley, Beckert and Chuang as applied to claim 12 above, and further in view of US Patent Application Publication 2003/0095688 A1 to Kirmuss.

[claims 15, 16 and 20]

As shown above for claim 1, Shockley teaches the use of a video cassette recorder (Col 3 Lines 14-16). Shockley further teaches the use of the recorder for later viewing by a master mechanic (Col 5 Lines 50-51). Chuang teaches the replacement of a tape recorder with flash media recorder (Paragraph [0009]). Beckert teaches convenient access to the storage drives (Col 4 Lines 45-47). Shockley, Chuang and Beckert are silent on the removal, storing and multiple flash memory cards.

Kirmuss teaches a similar video capturing system (Fig. 2). Kirmuss further teaches the steps of removing the storage device and storing the removed memory (Paragraph [0162]). Kirmuss also teaches the use of multiple high capacity storage devices in order to provide additional recording time (Paragraph [0224]). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the steps of Kirmuss with the method of Shockley, Beckert and Chuang in order to store the removed memory at a central location and provide longer recording time as taught by Kirmuss.

Claims 21-24 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,526,335 to Treyz et al. in view of US Patent 4,789,904 to Peterson.

[claim 21]

As shown in Figure 3, Treyz teaches an in-car video system comprising, a video camera fixably mounted to an automobile for capturing an image of an event in front of the automobile and producing a corresponding video stream (164) (Col 15 Lines 30-36). A digital video recorder fixably mounted to the automobile, the digital video recorder having a receiving area being adapted to operably couple a flash memory card to the



digital video recorder so that the flash memory functions as a digital video storage medium (Col 13 Lines 58-65, Col 16 Lines 6-19, Col 36 Lines 45-59, Col 72 Lines 20-26). A controller (74) coupled to the video recorder to control writing of data that is representative of the video stream to a flash memory to thereby generate a stored video record of the event (Col 72 Lines 20-26).

Wherein the digital video recorder and controller are integrally packaged and positioned within a factory-sized radio opening of a production automobile having a police package option (Col 13 Lines 12-36). Treyz teaches the system uses a faceplate which is in direct operative relationship with a user seated in the front seat of the automobile (Col 18 Lines 9-19).

Treyz is silent on the use of the system with an automobile with a police package. Peterson teaches the use of a video recording system used in a police vehicle (Col 1 Lines 6-11). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system of Treyz in a police vehicle as Peterson teaches the use of a video recording system in police vehicles (Col 1 Lines 6-11).

[claims 22-24]

Treyz teaches the placement of a camera in order to face traffic behind, in front or to the side of the automobile (Col 15 Lines 30-34). Treyz is silent on the exact mounting point of the video camera. Peterson teaches the mounting of the camera on the dashboard or windshield in order to provide a view of the scene in front of the patrol car (Col 2 Lines 30-36). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the mounting locations of Peterson with the system of

Treyz in order to provide a view of the scene in front of the patrol car as taught by Peterson (Col 2 lines 30-36). Note, it is viewed by the Examiner that the front facing camera obtains images corresponding to the field of view of a person seated in the front seat of the automobile as both view forward scenes.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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